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REVIEW OF THE PROCEDURE PROVIDED FOR UNDER ARTICLE 11 OF THE STATUTE OF THE ADMINISTRATIVE TRIBUNAL OF THE UNITED NATIONS

Report of the Sixth Committee

Rapporteur: Mr. Oleksandr F. MOTSYK (Ukraine)

I. INTRODUCTION

1. The item entitled "Review of the procedure provided for under article 11 of the statute of the Administrative Tribunal of the United Nations" was included in the agenda of the forty-eighth session of the General Assembly at the request of Australia, Benin, France and Ireland.

2. At its 3rd plenary meeting, on 24 September 1993, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. In connection with the item, the Sixth Committee had before it a letter dated 16 September 1993 from the representatives of the Permanent Missions of Australia, Benin, France and Ireland to the United Nations addressed to the Secretary-General (A/48/232), to which an explanatory memorandum was attached in accordance with rule 20 of the rules of procedure of the General Assembly.

4. The Sixth Committee considered the item at its 36th and 38th meetings, on 23 and 29 November 1993. The summary records of those meetings contain the views of the representative who spoke during the Committee's consideration of the item (A/C.6/48/SR.36 and 38).

II. CONSIDERATION OF DRAFT DECISION A/C.6/48/L.19

5. At the 38th meeting, on 29 November, the representative of Ireland introduced a draft decision entitled "Review of the procedure provided for under article 11 of the statute of the Administrative Tribunal of the United Nations" (A/C.6/48/L.19), proposed by Australia, Benin, France and Ireland.

6. At the same meeting, the Secretary of the Committee made a statement concerning paragraph (a) of the draft decision (see A/C.6/48/SR.38).

7. Also at the same meeting, the Committee adopted draft decision A/C.6/48/L.19 without a vote (see para. 8).

III. RECOMMENDATION OF THE SIXTH COMMITTEE

8. The Sixth Committee recommends to the General Assembly the adoption of the following draft decision:

Review of the procedure provided for under article 11 of the statute of the Administrative Tribunal of the United Nations

The General Assembly

(a) Requests the Secretary-General to carry out a review of the procedure provided for under article 11 of the statute of the Administrative Tribunal of the United Nations, taking into account the views expressed during the forty-eighth session of the General Assembly and any further views that States may submit, and to report thereon to the Assembly at its forty-ninth session, either as part of the report requested under resolution 47/226 of 8 April 1993 or separately;

(b) Decides to include in the provisional agenda of its forty-ninth session the item entitled "Review of the procedure provided for under article 11 of the statute of the Administrative Tribunal of the United Nations".